

Interview Summary	Application No.		Applicant(s)	
	10/036,018		DEARING ET AL.	
	Examiner		Art Unit	
	Mr. Terry K. Cecil		1723	

All participants (applicant, applicant's representative, PTO personnel):

(1) Mr. Terry K. Cecil. (3)_____.

(2) Turner Moller, atty. (4)_____.

Date of Interview: 05 September 2003 .

Type: a) ☒ Telephonic b) ☐ Video Conference
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☒ Yes e) ☐ No.

If Yes, brief description: The claim proposal drafted by the aforementioned attorney (a copy of that faxed to the examiner is attached) .

Claim(s) discussed: all .

Identification of prior art discussed: Pearson (U.S. 4,901,563) .

Agreement with respect to the claims f) ☒ was reached. g) ☐ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: the examiner initiated contact with the aforementioned attorney in order to recommend limitations that would put the case into condition for allowance. As a result, the claims were amended as in the attached claim proposal and the case was allowed. See the attached Examiner's amendment .

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

i) ☒ It is not necessary for applicant to provide a separate record of the substance of the interview(if box is checked).

Unless the paragraph above has been checked, THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

Examiner's signature, if required

Summary of Record of Interview Requirements

Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews

Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case unless both applicant and examiner agree that the examiner will record same. Where the examiner agrees to record the substance of the interview, or when it is adequately recorded on the Form or in an attachment to the Form, the examiner should check the appropriate box at the bottom of the Form which informs the applicant that the submission of a separate record of the substance of the interview as a supplement to the Form is not required.

It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

*Interview Summ
Attachment*

Turner Moller, Jr.
Patent Attorney
711 N. Carancahua, Suite 720
Corpus Christi, Texas 78475
361/265-0770 fax number

If there are problems with this transmission, please call:
361/883-7257

To: Examiner Cecil

Re: the application of Michael Dearing, SN10/036,018

Date: September 5, 2003

Pages: 5 including cover sheet

This fax contains confidential information intended only for the addressee. Do not read, copy or disseminate it unless you are the addressee. If you have received this fax in error, please call collect Turner Moller and at 361/883-7257 and mail the original to Turner Moller, 720 American Bank Plaza, Corpus Christi, Texas 78475.

Message: What comes next on the fax is a set of claims containing the changes we last discussed. If this is acceptable to you, you can enter these by Examiner's amendment. If this is not acceptable, please call.

Turn Moller

Interview Summ
Attachment

proposed

1. (Amended) A blender for preparing a treatment liquid, comprising

a chassis providing a generally horizontal platform;

a manifold having a length of tubing supported by the chassis,

5 the tubing having an upright generally planar side wall and a multiplicity of inlet connections opening through the upright side wall, the upright wall including an upper edge and a lower edge, the upper edge being outboard of the lower edge so the upright wall defines an angle, with a line perpendicular to the horizontal
10 platform, in the range of 3-20°; and

a fluid path including the manifold providing a mechanism for adding another material to the fluid path.

2. (Originally submitted)

3. (Originally submitted)

15 4. (Originally submitted)

5. (Originally submitted)

6. (Originally submitted)

7. (Originally submitted)

8. (Originally submitted)

20 9. (Originally submitted)

10. (Originally submitted)

Interview Summ
Attachment

proposed

11. (Amended) The blender of claim 1 wherein the chassis provides a direction of travel, the first mentioned length of tubing is rectangular in cross-section and extends along the direction of travel along one side of the chassis and the manifold comprises a
- 5 second length of rectangular tubing extending in the direction of travel along a second side of the chassis, the second rectangular tubing having an upright generally planar side wall facing away from the chassis and a multiplicity of inlet connections opening through the upright side wall and further comprising a conduit
- 10 connecting the rectangular tubing lengths of the manifold.

12. (Cancelled)

13. (Amended) The blender of claim [12] 1 wherein the angle is 5-10°.

*proposed**Interview Summ
Attachment*

14. (Amended) A blender for preparing a treatment liquid, comprising

a wheeled chassis having a direction of travel and providing a generally horizontal platform:

5 a suction manifold having a length of rectangular tubing extending in the direction of travel along a side of the chassis, the tubing having an upright generally planar side wall facing away from the chassis and a multiplicity of inlet connections opening through the upright side wall, the upright wall including an upper
10 edge and a lower edge, the upper edge being outboard of the lower edge so the upright wall defines an angle, with a line perpendicular to the horizontal platform, in the range of 3-20°;

a discharge manifold having a length of tubing extending in the direction of travel along a side of the chassis providing a
15 multiplicity of outlet connections; and

a fluid path connecting the inlet and outlet manifolds including an open top hopper for receiving particulate solids and a mechanism for mixing solids from the hopper with liquid from the suction manifold and delivering a slurry to the discharge manifold.

20 15. (Originally submitted)

16. (Cancelled)

17. (Amended) The blender of claim [16] 14 wherein the angle is 5-10°.

*Proposed**Interview Summ
Attachment*

18. (Amended) The blender of claim 14 wherein the discharge manifold comprises a second length of rectangular tubing extending in the direction of travel along an opposite side of the chassis, the second rectangular tubing having [an] a second upright
5 generally planar side wall facing away from the chassis and a multiplicity of inlet connections opening through the second upright side wall and further comprising a conduit connecting the rectangular tubing lengths of the discharge manifold.

19. (Amended) The blender of claim 18 wherein the second upright
10 [walls] wall of the discharge manifold tubing [lengths include] includes an upper edge and a lower edge, the upper edge being outboard of the lower edge so the upright wall defines an angle, with a line perpendicular to the horizontal platform, [with a vertical] in the range of 3-20°.

15 20. (Originally submitted)